

Abanoob Abdel-Malak  
(Name)12159 Harvest Avenue  
(Address)Norwalk, CA 90650  
(City, State, Zip)ava@sinailc.com  
(CDCR / Booking / BOP No.)(310) 776-5415FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2020 JUN -9 PM 1:27

CLERK P. Johnson  
SO. DIST. OF GA.**United States District Court**  
**Southern District of Georgia**Abanoob Abdel-Malak

(Enter full name of plaintiff in this action.)

Plaintiff,

v.

United States Marshall  
Federal Bureau of  
Investigations,  
JOHN DOE, JANE  
DOE

(Enter full name of each defendant in this action.)

Defendant(s).

**CV 420 - 128**

Civil Case No. \_\_\_\_\_

(To be supplied by Court Clerk)

**Civil Rights Complaint**

per 28 U.S.C. § 1331

and *Bivens v. Six Unknown**Named Agents of Federal Bureau*  
*of Narcotics*, 403 U.S. 388 (1971)Request to AmendRequest to E-File**A. Jurisdiction**Jurisdiction is invoked pursuant to 28 U.S.C. § 1331 and *Bivens*. If you wish to assert jurisdiction under different or additional authority, list them below.Jurisdiction exists because of U.S. Constitutional violation.  
and pursuant 42 § 1983, 1985, 1986, 1988.**B. Parties**1. Plaintiff: This complaint alleges that the civil rights of Plaintiff, Abanoob Abdel-Malak  
(print Plaintiff's name), who presently resides at 12159 Harvest Avenue  
(mailing address or place of confinement)Norwalk, California, were violated by the actions of thebelow named individuals. The actions were directed against Plaintiff inside theUnited States District Court on (dates) September, 11, and 2019.(institution/place where violation occurred)  
in Savannah

(Count 1)

(Count 2)

(Count 3)

2. **Defendants:** (Attach same information on additional pages if you are naming more than 4 defendants.)

Defendant United States Marshall resides in Catham County,  
(name) (County of residence)  
 and is employed as a the U.S. Entity. This defendant is sued in  
(defendant's position/title (if any))  
 his/her ☐ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting under  
 color of law: by working and holding an  
office inside the U.S. District Court  
in Savannah, Georgia.

Defendant Federal Bureau of Investigation resides in Catham County,  
(name) (County of residence)  
 and is employed as a U.S. Entity. This defendant is sued in  
(defendant's position/title (if any))  
 his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting under  
 color of law: has the ability to hire undercover  
officer and/or agents.

Defendant John Doe resides in Catham County,  
(name) (County of residence)  
 and is employed as a United States Marshall. This defendant is sued in  
(defendant's position/title (if any))  
 his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting under  
 color of law: refused to provide me his name  
and refused to make a police report.

Defendant Jane Doe resides in Catham County,  
(name) (County of residence)  
 and is employed as a United States Marshall. This defendant is sued in  
(defendant's position/title (if any))  
 his/her ☒ individual ☒ official capacity. (Check one or both.) Explain how this defendant was acting under  
 color of law: refused to provide me with her  
name and refused to make me a police  
report.

## FACTS

32. Listens to my call on March 13, 2019, hence how they knew I would be there on March 14, 2019.

Explain march 12, April 2, 3, 4. Etc.

31. Explain briefly the Riverside DVRI 1901830: the type, details, consequences, etc.

32. When the case was filed, a pending case in San Bernardino County, so I was denied due process in San Bernardino, and my signature was forged on a Stipulation to have my San Bernardino Case moved to Riverside, hence why I am denied certified copies and denied the right to file court documents, which then led to my false arrest.

### **I: PRIOR TO FALSE ARREST**

30. On March 14<sup>th</sup>, 2019 Bailiff F. Wilkerson and Court Reporter Karen Diggs #7789, and Deputy Amber Bouchard forged my signature on a "Stipulation for Judge Pro Temp" and filed it at the San Bernardino Family Court House, case FAMSS 1901320. They misspelled my name and hand-wrote "ABANOOD MALAK v. DESIREE N PIERCE." (See attached court transcript and document.) My name is spelled "ABANOOB ABDEL-MALAK," as it is spelled on all other court documents. The forged stipulation form was filled out in handwriting that is obviously not my own, even using a date convention that I do not customarily use. The fact that the forged signature is on the right side of the form raises the suspicion that the forged signature may be intended to be transferred to other different documents, and suggests why the Riverside County Family Courthouse refuses to allow me to purchase a certified copy of the document. This is a clear example of the Plaintiff acting in bad faith. Removal to a federal court will allow me to subpoena this document and others from the Riverside County Family Courthouse. [FAMSS 1901320] This document was to have my San Bernardino Case transferred to Riverside Family Court House where a Restraining Order and Criminal Case was pending against me, DVRI 1901830.

31. On March 21st, 2019 I purchased Copies of all court document's filed regarding this case DVRI 1901830, the document's I purchased did not have all have the same clerk stamp date(s) of the March 12th, 2019, the date(s) it was filed was March 13th, 2019. The court clerk named Tiffany from RIVERSIDE SUPERIOR COURT, refused to issue me subpoena's.

1           32.     On March 25th, 2019, I requested time stamped and court all certified court  
2 document's filed pertaining to this case, Deputy K, Williams, refused to let me purchase copies.

3           33.     On March 25<sup>th</sup>, 2019, after I walk outside the court house, I attempted to call 911 to  
4 make a police report but the operator states I cannot make a police report and Bailiff H. Lopez,  
5 refuses to allow me to make a police report regarding the perjury and court clerk refusing to allow  
6 me to purchase certified copies. Bailiff H. Lopez, is the Deputy who falsely arrested me on July 1<sup>st</sup>,  
7 2019 for attempting to file court documents.

8           34.     On March 26, 2019, I call 911 and request to make a police report about the forged  
9 document at the San Bernardino County Law Library parking lot in Rancho Cucamonga, the  
10 Reporting Officer from Rancho Cucamonga Police of San Bernardino County Sheriff Department  
11 refuses to make the police report and instead attempts to say: "Have you been drinking sir?" Until, I  
12 state please speak to my attorney.

13           34.     On March 27, 2019, I attempt to file an Ex-Parte at the San Bernardino Family Court  
14 House explaining that I did not file or sign the Stipulation on March 14, 2019 and that I am  
15 requesting an attorney as soon as possible, while attempting to file the document, F. Wilkerman is  
16 harassing me and attempted to arrest me, but until I tell her if she arrests me than I request an  
17 attorney as soon as possible. The Court clerks makes it difficult for me to file the documents and  
18 deny my court documents, see attached March 27, 2019 incident.

19           35.     On March 29, 2019, I make a police report with the City of Fontana, the officer  
20 states there is no restraining order on file against me.

21           36.     On April 2<sup>nd</sup>, 2019, the Petitioner's Father, David Pierce, pushes my sister and scares  
22 my mom while walking between my sister, and mother at 8:28 a.m., 2 minutes before our scheduled  
23 hearing for my DV case FAMSS 1901320, at 8:30 a.m. at the San Bernardino Court House in front  
24 of courtroom S55. Due to David Pierce harassing and scaring my Mother & Sister, I refused to  
25 bring them to my hearing as witnesses on April 3<sup>rd</sup>. 2019 as well as speak out loud regarding the  
26 evidence I have of Parent Abuse. My sister went to file a Police Report, # 801900050. The police  
27 report did not describe what the real incident was. The Reporting Officer wrote the wrong  
28 information and stated the crime was an "incident".

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1           37.     On April 2<sup>nd</sup>, 2019, at the hearing I show Commissioner Gassner the forged  
2 Stipulation and he ignores it, I tell him I did not sign or file that document, and my name is even  
3 misspelled on the document, he ignores it.

4           38.     On April 3<sup>rd</sup>, 2019, inside the court room Gail O'Rane states that this court room is  
5 not a criminal case. I explained to Gail O'Rane that there is a pending case in San Bernardino and  
6 that I have a big interview today and if she could please temporarily remove the CLETS Restraining  
7 Order to pass my background check with my potential employer.

8           39.     On April 3<sup>rd</sup>, 2019, on the Minute Order is states: "ABDEL-MALAK, ABANOOB  
9 referred to Family Law Assistant Center for any Questions regarding the Restraining Order and  
10 CRIMINAL CASE..". Note: If at that time I knew this case was a criminal case, I wouldn't have  
11 requested the court to continue the case on June 26<sup>th</sup>, 2019 after discovering it was a Criminal Case.

12           40.     On April 3<sup>rd</sup>, 2019, I visit the Riverside Police Department and purchased Officer  
13 Police Report and Case Report, 190003519-001, mentioned in the Petitioner's Declaration. I also  
14 ask Officer Carter, #1918 if there is a Temporary Restraining Order against me in CLETS, the  
15 officer states no.

16           41.     On April 3<sup>rd</sup>, 2019, after I left the hearing in room F301, around or about 12:48  
17 p.m., Detective Johansen, also informs me that there is not a temporary restraining order against me.

18           42.     On April 3<sup>rd</sup>, 2019, at 3:51 p.m., Detective Johansen, on a recorded call, finally tells  
19 me, "Now, there is a temporary restraining order against you."

20           43.     On April 17<sup>th</sup>, 2019, alleged plaintiff Desiree Pierce and Mario Rivas finally signs  
21 the "Stipulation for the Appointment of Court Commissioner as Judge Pro Tem."

22           44.     On May 9<sup>th</sup>, 2019, I visit the San Bernardino Sheriff's office to purchase a certified  
23 copy of the police report of when David Pierce pushed my sister inside the courthouse. The police  
24 report was inaccurate of what occurred. I decided to report this to the FBI along with the forged  
25 court document with signature and report that officer's refused to allow me to make a police report.

26           45.     On May 9<sup>th</sup>, 2019, I visited the FBI West Covina satellite office to make a report of  
27 the false police reports and corruption going on with my case. The agent makes a copy of the  
28

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1 document's I provided her with as well as David Pierce pushing my mom and sister, along with him  
2 chasing me in his truck on March 27<sup>th</sup>, 2019.

3 46. On June 26, 2019, Court clerk Graciela refuses to allow me to view the cases original  
4 file and does not allow me to file DV 116, and I had to demand her to file stamp DV 115 and return  
5 a copy to me.

6 47. On June 26, 2019, my case is continued because I discovered that my case was a  
7 criminal case and/or criminal prosecution case, and I was requesting a continuance in order to find a  
8 criminal defense attorney and removed my ex attorney Robert Deller.

9 48. On June 26, 2019, I demand Robert Deller to file the substitution of attorney, and it  
10 was filed. Beginning from this day, I was a self-represented in a restraining order and criminal case  
11 and/or criminal prosecution.

12 49. On June 28<sup>th</sup>, 2019 at 2:40 p.m., I notified Mario Rivas, the attorney of Desiree and  
13 David Pierce, Mario Rivas, that I would file in person for an ex parte on July 1<sup>st</sup> at Riverside Family  
14 Courthouse, in accordance with Court rules.

15 **II: JULY 1<sup>ST</sup>, 2019; DATE OF FALSE ARREST AND IMPRISONEMENT**

16 50. Note: July 1<sup>st</sup>, 2019 was my first day at my new job, which is why I went to file an  
17 Ex-Parte and purchase certified copies after being denied to purchase certified copies on March 25,  
18 2019. See Employment Contract.

19 51. On July 1<sup>st</sup>, 2019, at 8:52 a.m., I went to print the copies of the Ex-Parte I was going  
20 to file at PIP which is diagonally across from the court house. I have a receipt for proof.

21 52. On July 1<sup>st</sup>, 2019, at 9:05 a.m., I parked inside the Riverside Family Court House.

22 53. On July 1<sup>st</sup>, 2019, at 9:09 a.m., I go inside and attempt to file the Ex-Parte, but the  
23 court clerk refuses to allow me to file the court document's. The deputies force me to leave the  
24 building and come back later to file the court documents.

25 54. On July 1<sup>st</sup>, 2019, at 9:09 a.m. I stand in line attempting to file the Ex-Parte but K.  
26 Williams refuses to allow me to file the court documents. See video attached. After that, I go  
27 upstairs and go inside the court room to attempt to personally give the court document's to Gail  
28

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1 O'Rane, the Bailiff escorts me out and I tell him and 4 other Deputies can you please just file these  
2 court document's and I will leave, they all say "no".

3 55. On July 1, 2019, I am booked at 10:54 a.m. I am arrested in line of the Riverside  
4 Family Court House for attempting to file an Ex-Parte and denied the right to file by court clerk K.  
5 Williams.

6 56. The deputies held me inside a small jail room located inside the court house  
7 *BEFORE TAKING ME TO THE DETENTION FACILITY.*

8 57. While I was detained the officer's refused to give me my cell phone to get my  
9 attorney's contact number's so I can call an attorney.

10 58. I attempted to call the FBI West Covina satellite office to inform them that I have  
11 been falsely arrested, the call is blocked.

12 59. My sister informed me that my Bail was for \$50,000. And that to get released they  
13 needed to pay at least \$5,000. *They told me they tried to pay it, but saw*

14 60. Officer's attempted to make me take a medical test, I denied to take a medical test.  
15 Officer's kept asking me: "Are you on meth? Do you have meth on you?"

16 [ 61. "The deputies then drive me to the Riverside Detention Jail Facility LOCATED AT  
17 4075 MAIN STREET, RIVERSIDE, CA. The officers beat me up and wouldn't let me file court  
18 documents! They didn't give me water or food all day! They slammed me around put on gloves  
19 trying to put meth on a medical test I denied. They slammed and put me in a small room in the court  
20 and Roughed me up. They kept me in a cell until I cried needing to go to the hospital! From 9:45  
21 am until now. Let us both on. I went today to solve the chaos. I'm done, I tap out after officers  
22 beating me up and roughing me up. My arms are bruised. You and I don't deserve this! Please I'm  
23 in so much pain and today was literally trapped in jail trying to call attorneys but they wouldn't give  
24 me my attorney's number. It hurts enough when I called you from jail you were blocked. This case  
25 in NO WAY can be heard in Riverside. Let me live my life. I now have another criminal case from  
26 the deputy's fabricating stuff. They arrested me in line of the court house!" ]

27 62. Deputies assaulted me inside the facility and attempted to place Methamphetamine  
28 on my clothes and medical report I denied.

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63. I am detained all day and Deputies attempt to place Meth on a medical test I denied. A bail of \$50,000.00 is placed for alleging the charge of "Contempt of Court" and "Trespass" at 4075 Main Street, Riverside, CA. But, I was at 4175 Main Street, Riverside, CA, and my car was parked in the parking lot of Riverside Family Court House. See Booking Intake Receipt, and my court documents we're taken from me.

64. My criminal case was for Trespassing and Contempt of Court with a case hearing scheduled on July 17, 2019.

65. I notified my employer via email explaining that this was the soonest I could contact them.

### III: POST FALSE ARREST:

63. On July 2<sup>nd</sup>, 2019; my employer terminates me due to false arrest and PTSD, damaging my career and licensing requirements. The False Arrest and false imprisonment caused me to lose my new job.

64. On July 2<sup>nd</sup>, 2019, from 5:39 p.m. – 7:20 p.m. I visit the FBI West Covina office in person, once again, to report the false arrest and provide them with detail's of what occurred inside the jail facility and informed them I attempted to call them from inside the cell but the officer's blocked the calls I attempted to make. I spoke to duty agents, Shane and Sabrina. While speaking to Shane and Sabrina, they refused to listen to a suspicious voicemail I received and refused to stay on the phone while I call them regarding the call I received from a Rachel from Lawyer Letter.

65. On July 5<sup>th</sup>, 2019, I fly out of the state of California after the ongoing harassment and in fear of Riverside County Sheriff.

66. On July 17<sup>th</sup> – 19<sup>th</sup>, 2019, I had to go to the hospital and the medical staff found that my heart was losing Enzymes, so I was admitted to different hospital to monitor my heart and perform more chest test.

67. On July 30, 2019, I notarized a court document, Electronically Filed, I receive a Notice of Return.

68. On August 8, 2019, my ex-attorney files a Substitution of Attorney, I terminated him over a month ago.

*Include Gail O'Pune.*



69. Sometime between August 8, 2019 – September 9, 2019, Ryan Nevans of Riverside City contacts Hoke County Sheriff's Office in Raeford, North Carolina, and to ask me police questioning, Investigating Deputy, Quiles, Phone Number, (910) 875-5111. Hoke County Sheriff go visit my sister in person at her home residence to ask about me.

70. On September 9, 2019, Commissioner Wendy Harris denies my "power of attorney" document while I was out of state for my sister to appear for me while I was in Georgia. After my sister tells me she denied the Power of attorney, and said the hearing was cancelled because I was not present.

71. I finally call "Detective" Ryan Nevans. He begins asking me questions such as:

i. "Did you send a package to Gail O'Rane?"

ii. "Why did you send a package to Gail O'Rane?"

iii. "Do you intend to return to California?"

iv. "You're located in Hinesville, Georgia, huh?"

72. Attempting to use police questioning to have a reason to arrest me, using the strategy in Miranda v. Arizona, 1966. I told him I would sue for the continued harassment and false arrest and to leave me and my family alone.

73. On September 13, 2019, I submit an intake request form to the Federal Pro Se Clinic requesting assistance with a Notice of Removal.

74. On September 16, 2019, I receive a weird email from the Federal Pro Se Clinic saying they cannot help me, in which they provided me legal advice. *So I made a L.A.*

75. On September 20, 2019, I filed court documents in the Federal Court House requesting an attorney to assist me with a Notice of Removal. The original Judge, advises the case to ADR.

76. I would like to emphasize what occurred in the Federal Court filing, I requested a Motion to Appoint Legal Counsel and was offer ADR but then the case was randomly assigned to a corrupt Judge who helps Riverside County Sheriff department with their corruption. The Judge David O Carter was in Orange County in which he has no jurisdiction regarding the matter. I would like to emphasize, my notice of removal was not correctly filed with the Federal Court because

73.  
9/11/2020  
Visit  
Georgia  
Federal  
Court  
House

1 Riverside Family Court refuses to give me certified copies, in which a Notice of Removal requires  
2 all court documents and proceedings to be attached to a "Notice of Removal".

3 77. On September 23, 2019, the case is randomly assigned to Judge David O. Carter who  
4 was in Orange County and he remands the case back to the State Court, Riverside Family Court  
5 House where I was falsely arrest and stripped of my court documents. He has also remanded other  
6 court cases for Civil Rights complaints against Riverside County Sherriff Department.

7 78. Magistrate Judge Kenly Kiya Kato and District Judge David O. Carter, have a lot of  
8 cases with ties to Riverside County Sheriff's Civil Rights violations.

9 79. "NOTICE OF ASSIGNMENT of Eastern Division Removal Case. This case was  
10 initially assigned to District Judge Jesus G. Bernal and referred to Magistrate Judge Kenly Kiya  
11 Kato for discovery. Pursuant to General Order 19-03, this case has been randomly reassigned to  
12 District Judge David O. Carter. The case number on all documents filed with the Court in this case  
13 should read as follows: 5:19-cv-01808 DOC (KKx). (jtil) (Entered: 09/20/2019)"

14 80. Magistrate Judge Kenly Kiya Kato and District Judge David O. Carter, have a lot of  
15 cases with ties to Riverside County Sheriff's Civil Rights violations.

16 Other Relevant Cases:

17 SEE CASE JORGE LUIS VALDEZ V. MOLINA (5:15-CV-00805)

18 1. 42: 1983 PRISONER CIVIL RIGHTS

19 2. ASSIGNED TO: DAVID O. CARTER: MORMON CASE: D.C. NO. 8: 17-CV-00781-  
20 DOC-DFM

21 82. On October 22, 2019, I visit the FBI West Covina satellite office for the third and  
22 last time, telling them they need to do something about what has occurred and the false arrest from  
23 what occurred on July 1<sup>st</sup>, 2019.

24 83. On November 20, 2019, I request a change of venue for the following reasons:  
25 The current Judge, (and Bailiff), and court house exhibits Prejudice against the defendant. I am  
26 requesting a Judge over a Commissioner. The court house does not have any qualified Judges for  
27 this complex case. Commissioner Wendy Harris is Caucasian and so is the Petitioner, I feel due the  
28 type of name and ethnic background, I am at a disadvantage. As well as, because Gail O'Rane will

1 be in trouble for allowing her Bailiff H. Lopez to falsely arrest me on July 1<sup>st</sup>, 2019, she has a  
2 vested interest to help her friend Gail O’Rane from law school in Pepperdine. Bailiff Ryan Evans  
3 harassed my sister Mary Roman while in North Carolina sending Hoke County Police to my sister’s  
4 house to attempt to get me to for “police questioning”. I also do not know how Riverside County  
5 Sheriff retrieved my sister’s home address in North Carolina. On September 9<sup>th</sup>, 2019: Hearing was  
6 dismissed. Commissioner Wendy Harris disapproved of my power of attorney document my sister  
7 presented when I was out of state in Georgia, and had no money to return to California for that  
8 hearing. After that hearing I finally called Detective Ryan Evans to see what more harassment he  
9 wants:

10 84. In Georgia, he said he was a Detective and attempted to use “police questioning”  
11 regarding the court document’s I mailed to Gail O’Rane. He was attempting to use the Miranda v.  
12 Arizona strategy to get me to confess of mailing a “package” not “court document’s”, to find a  
13 cause to arrest me and cover up their False Arrest on July 1<sup>st</sup>, 2019. He also harassed me asking me  
14 “If I intend to return to California?”. In Miranda v. Arizona, 1966, “You have the right to remain  
15 silent...”. After police questioning, Ernesto Miranda confessed to kidnapping and raping a woman.  
16 The Court struck down his conviction, on grounds that he was not informed of his 5<sup>th</sup> Amendment  
17 right against self-incrimination. Hereafter, the Miranda warnings have been a standard feature of  
18 arrest procedures.

19 85. On October 23<sup>rd</sup>, 2019, I find out that Detective Ryan Evans is Bailiff Ryan Evans in  
20 my case. I told him to expect a law suit, and since he has left me alone. Prejudice exist because:  
21 Riverside County Sheriff Stan Sniff is under pressure to reduce liability claims resulting in actions  
22 of his deputies. – Press Enterprise Article.

23 86. K. Williams court clerk refused to allow me to purchase certified copies on March  
24 25<sup>th</sup>, 2019.

25 87. G. Mariela on June 26, 2019 refused to let me view the original file of the case.

26 88. K. Williams court clerk refuses to allow me to file court document’s on July 1<sup>st</sup>,  
27 2019. I was filing an Ex Parte, which must be filed in person. (See video attached.)  
28

— 11 —  
—

1 89. Shortly after I am arrested in line of the court house and stripped of my court documents  
2 and papers.

3 90. ON NOVEMBER 21, 2019: COURT CLERKS REFUSE TO ALLOW ME TO FILE  
4 AN EX-PARTE BEFORE MY HEARING. COMMISSIONER WENDY HARRIS STATES THAT  
5 THIS CASE IS NOT A CRIMINAL CASE OR CRIMINAL PROSECUTION CASE, SO I AM  
6 NOT AUTHORIZED TO BE APPOINTED AN ATTORNEY. WHATEVER I STATE IN THE  
7 FAMILY LAW CASE CAN BE USED AGAINST ME IN A CRIMINAL CASE.

8 91. COMMISSIONER WENDY HARRIS REFUSES TO RECUSE HERSELF AFTER  
9 I ORALLY REQUEST MY FIRST REQUEST TO HAVE A JUDGE REMOVED FROM MY  
10 CASE. I ORALLY STATED TO RECUSE HERSELF PURSUANT TO CALIFORNIA CODE OF  
11 CIVIL PROCEDURE 170.6 AND THAT SHE IS BIAS BECAUSE SHE HAS NOT  
12 APPOINTMENT ME LEGAL COUNSEL, OR ISSUED ME ANY SUBPOENA'S TO AT LEAST  
13 ONE WITNESS FROM MY WITNESS LIST OF 25+ WITNESS I INTENDED TO CALL.

14 92. ON NOVEMBER 22, 2019: COMMISSIONER WENDY HARRIS REFUSES TO  
15 GIVE ME HER CALIFORNIA STATE BAR LICENSE NUMBER. I EXPLAINED TO HER  
16 THAT MY HEALTH IS NOT FIT TO PROVIDE MY DEFENSE TO THIS CASE AS I  
17 DESPERATELY NEED AN ATTORNEY. SHE REFUSED TO PROVIDE ME WITH  
18 EVERYONE'S NAME INSIDE THE COURT ROOM. SHE STATED SHE DOES NOT  
19 PRACTICE LAW IN CALIFORNIA. AND PRACTICES OUTSIDE THE STATE OF  
20 CALIFORNIA.

21 93. On January 14, 2019 I submit a Notice of Appeal, it is rejected.

22 94. On January 15, 2019 I submit a Notice of Appeal, it is rejected.

23 95. **I have trauma from the false arrest on July 1<sup>st</sup>, 2019. I have even suffered a**  
24 **heart attack. See link below.**

25 **FIRST CAUSE OF ACTION**

26 **Rights to Due Process of Law**

27 **42 U.S.C. §1983 – Fifth and Fourteenth Amendment;**

28 **Art. 1., §7, California Constitution**

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1           96.     Plaintiffs reallege and incorporate the allegations set forth in each paragraph of this  
2 complaint as if fully restated herein.

3           97.     Defendant County of Riverside owed Plaintiff a duty under the due process clause of  
4 the Fifth and Fourteenth Amendments to the U.S. Constitution and Article I, sec. 7 of the California  
5 Constitution, and the statutory law of the State of California, to protect the personal property of  
6 Plaintiff that was known not to be abandoned.

7           98.     As described above, Defendants, while acting individually, jointly, and/or in  
8 conspiracy with each other, as well as under color of law and within the scope of their employment,  
9 deprived Plaintiff of his constitutional right to due process and his right to a fair trial.

10          99.     In the manner described more fully above, Defendants, deliberately withheld  
11 exculpatory and impeachment evidence from Plaintiff, his ex-attorneys, and prosecutors, among  
12 others, thereby misleading and misdirecting Plaintiff's restraining order and criminal prosecution.

13          100.    In addition, as described more fully above, Defendants fabricated and solicited false  
14 evidence, including statements and testimony they knew to be false, fabricated police reports and  
15 other evidence falsely implicating Plaintiff, obtained charges against Plaintiff, obtained his  
16 conviction using that false evidence, and failed to correct fabricated evidence they knew to be false  
17 when it was used against Plaintiff during his trial.

18          101.    In addition, Defendants used coercive tactics to extract involuntary statements from  
19 Plaintiff, which Defendants used to incriminate Plaintiff during his proceedings and to secure his  
20 conviction.

21          102.    In addition, based on information and belief, Defendants concealed and fabricated  
22 additional evidence that is not yet known to Plaintiff.

23          103.    Defendants' misconduct described in this count resulted in Plaintiff's unjust and  
24 wrongful prosecution and conviction, deprived him of his liberty, caused him to provide false and  
25 involuntary statements that were used to incriminate him, and denied him his constitutional rights to  
26 a fair trial guaranteed by the Fourteenth Amendment. Absent this conduct, Plaintiff's prosecution  
27 could not and would not have been pursued.

28                   -13-

1           104. The misconduct described in this count was objectively reasonable and was  
2 undertaken intentionally, with malice, with reckless indifference to the rights of others, and with  
3 total disregard for the truth and Plaintiff's innocence.

4           105. As a result of Defendants' misconduct described in this count, Plaintiff suffered loss  
5 of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and  
6 suffering, a heart attack at the age of 27 while in excellent shape running 5.5 miles, six times a  
7 week, and other grievous and continuing injuries and damages.

8           106. Defendants' misconduct described in this count was undertaken pursuant to  
9 Riverside County policies and customs more fully described below.

10           107. Plaintiffs are informed and believe that the acts of the Defendant's employees and  
11 agents were intentional in failing to protect and preserve their property and that, at minimum, the  
12 Defendant was deliberately indifferent to the likely consequence that the property would be seized  
13 and destroyed without due process based on the past occurrences of these same constitutional and  
14 statutory violations of the law.

15           108. As a direct and proximate consequence of the acts of Defendant's agents and  
16 employees, Plaintiff has suffered and will continue to suffer loss of their personal property and are  
17 entitled to compensatory damages for their property and other injury to their person.

18  
19                                   **SECOND CAUSE OF ACTION**

20                   **Violation of Civil Rights: Interference By Threat, Intimidation or Coercion**

21                                   **California Civil Code § 52.1**

22           109. Plaintiffs reallege and incorporate the allegations set forth in each paragraph of this  
23 complaint as if fully restated herein.

24           110. Defendant's agents and employees have used threats of arrest and intimidation to  
25 interfere with Plaintiff's right to maintain their personal possessions and right to file court  
26 document's whether in person or electronically in the exercise of Plaintiffs' rights secured by the  
27 Constitution of the United States, the Constitution of the State of California, and the statutory laws  
28 of the State of California.

- 14 -



111. Plaintiff is entitled to an injunction pursuant California Civil Code § 52.1. Plaintiff is also entitled to damages pursuant to Civil Code §§ 52 and 52.1. Plaintiff have filed tort claims with the defendant on behalf of himself. Plaintiff will amend this action to include damages under this provision once he has exhausted his administrative remedies.

### THIRD CAUSE OF ACTION

#### Rights to Be Secure From Unreasonable Seizures

#### 42 U.S.C. §1983 – Fourth Amendment; Art. 1., §13, California Constitution

112. Plaintiffs reallege and incorporate the allegations set forth in each paragraph of this complaint as if fully restated herein.

113. Defendant JOHN DOE violated Plaintiffs' Fourth Amendment rights to be free from unreasonable seizure of his property by confiscating and then destroying Plaintiffs' property without a warrant and under threat of arrest if Plaintiff attempted to go back in line to file court document's as a self-represented defendant, the plaintiff was following California Court rules for filing an Ex-Parte, in which the litigant must file in person according to California Court rules.

114. Defendant's unlawful actions, through the conduct of its employees from the County of Riverside and County of San Bernardino was done with the specific intent to deprive Plaintiff of his constitutional rights to be secure in their property.

115. Plaintiffs are informed and believe that the acts of the Defendant's employees and agents were intentional in failing to protect and preserve their property and that, at minimum, the Defendant was deliberately indifferent to the likely consequence that the property would be seized and destroyed unlawfully, based on the past circumstances of similar constitutional and statutory violations of the law.

116. As a direct and proximate consequence of the acts of Defendant's agents and employees, Plaintiff has suffered and will continue to suffer lose of their personal property and are entitled to compensatory damages for their property and other injury to their person.

### THIRD CAUSE OF ACTION

#### 42 U.S.C. §1983 – Illegal Detention and Prosecution

117. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

- 15 -

118. In the manner described more fully above, Defendants, individually, jointly, and in conspiracy with each other, as well as under color of law and within the scope of their employment, accused Plaintiff of criminal activity and exerted influence to initiate, continue, and perpetuate proceedings against Plaintiff without any probable cause for doing so and in spite of the fact that they knew Plaintiff was innocent, in violation of his rights secured by the Fourth and Fourteenth Amendments.

119. In so doing, Defendants caused Plaintiff to be deprived of his liberty and detained without probable cause and subjected improperly to judicial proceedings for which there was no probable cause.

120. The misconduct described in this count was objectively unreasonable and was undertaken intentionally and with malice.

121. As a result of Defendants' misconduct described in this Count, Plaintiff suffered loss of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and suffering, loss of employment, and other grievous and continuing injuries and damages.

122. Defendants' misconduct described in this count was undertaken pursuant to Riverside County policies and customs more fully described.

#### FOURTH CAUSE OF ACTION

##### 42 U.S.C. §1983 – Failure to Disclose Exculpatory Information

123. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

124. Defendants failed to disclose exculpatory evidence leading to Plaintiff detention in violation of his right of due process.

125. As described above, Defendants failed to disclose, among other things, evidence that: demonstrates that I was denied the right to file court document's, specifically an Ex-Parte on July 1<sup>st</sup>, 2019 and on November 21<sup>st</sup>, 2019; physical evidence exonerated showing David Pierce and Sherrie Pierce have been abusing their children that were mailed to Gail O'Rane, their own misconduct in coercing and fabricating evidence and testimony; and that they fabricated police reports.

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126. Defendants knew there was no credible evidence tying Plaintiff to being a criminal or aggressive individual. Had they disclosed this exculpatory evidence, the evidence would have proved Plaintiff's innocence, cast doubt on the entire police investigation and prosecution, and led to the end of Plaintiff's detention and prosecution.

127. Defendants performed the above-described acts under color of state law, deliberately, intentionally, with malice or reckless disregard for the truth and Plaintiff's rights and with deliberate indifference to Plaintiff's clearly established rights.

128. As a result of Defendants' misconduct described in this Count, Plaintiff suffered loss of employment, loss of liberty, great mental anguish, humiliation, degradation, physical and emotion pain, and other grievous and continuing injuries and damages.

129. Defendants' misconduct described in this count was undertaken pursuant to Riverside County policies and customs more fully described below.

#### **FIFTH CAUSE OF ACTION**

#### **42 U.S.C. §1983 – Failure to Intervene**

130. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

131. In the manner described above, during the constitutional violations described above, one or more Defendants stood by without intervening to prevent the violation of Plaintiff's constitutional rights, even though they had the duty and opportunity to do so.

132. These Defendants had a duty and reasonable opportunity to prevent this harm to Plaintiff, but they failed to do so.

133. The misconduct described in this count was objectively unreasonable and was undertaken intentionally with willful indifference to Plaintiff's constitutional rights.

133. As a result of Defendants' failure to intervene to prevent the violation of Plaintiff's constitutional rights, Plaintiff suffered loss of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and suffering, and other grievous and continuing injuries and damages as set forth above.

134. Defendants undertook the misconduct described in this count pursuant to Riverside County policies and customs more fully described below.

- 17 -

**SIXTH CAUSE OF ACTION**

**42 U.S.C. §1983 – Conspiracy**

135. Plaintiff incorporates each paragraph of this complaint as if fully restated herein.

136. Defendants reached an agreement among themselves to frame Plaintiff to cover up the forged signature on court document's and false arrest on July 1<sup>st</sup>, 2019, and thereby to deprive Plaintiff of his constitutional rights, as described above. This agreement was first reached on March 12, 2019, as the Defendants began illegally violating Plaintiff's right to privacy and recorded his phone calls and listened to his phone calls with the use of CLETS, before arresting Plaintiff, and it remained in place throughout all periods of his detention, prosecution, and until now the Plaintiff is under investigation by Defendant's agents and employees.

137. In addition, Defendants conspired before Plaintiff's conviction, and continued to conspire after his conviction, to deprive Plaintiff of exculpatory material to which he is entitled and that would have led to his earlier exoneration.

138. In this manner, Defendants, acting in concert with each other and with co-conspirators, known and unknown, conspired by concerted action to accomplish an unlawful purpose and/or a lawful purpose by unlawful means.

139. In furtherance of the conspiracy, each co-conspirator committed overt acts and was an otherwise willful participant in joint activity.

140. As a result of illicit prior agreement, Plaintiff suffered loss of employment, loss of law school scholarship, loss of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and suffering, and other grievous and continuing injuries and damages set forth above.

141. The misconduct described in this count was objectively unreasonable and was undertaken intentionally and with willful indifference to Plaintiff's constitutional rights.

142. Defendants undertook the misconduct described in this count pursuant to Riverside County's policies and customs more fully described below.

**SEVENTH CAUSE OF ACTION**

**42 U.S.C. §1983 – Municipal Liability – Unconstitutional Official Policy, Practice, or Custom**

-18-

**Unconstitutional Policies of County of Riverside**

143. Plaintiff incorporates each paragraph of this complaint as if fully restated herein.

144. Plaintiff's injuries were caused by the policies and customs of the County of Riverside, as well as by the actions of policy-making officials for the County of Riverside.

145. At all times relevant to the events described in this complaint and for a period of time before and after, the County of Riverside failed to promulgate proper or adequate rules, regulations, policies, and procedures governing: the conduct of interrogations and questioning of criminal suspects and witnesses by officers and agents of the Riverside County Sheriff's Department and the County of Riverside; the collection, documentation, preservation, testing and disclosure of evidence; writing of police reports and taking of investigative notes; obtaining statements and testimony from witnesses; and the maintenance of investigative files and disclosure of those files in criminal proceedings.

146. In addition or alternatively, the County of Riverside failed to promulgate proper and adequate rules, regulations, policies, and procedures for the training and supervision of officers and agents of the Riverside County Sheriff's Department and the County of Riverside with respect to the conduct of interrogations and techniques to be used when questioning criminal suspects and witnesses.

147. Officers and agents of Riverside County Sheriff's Department and the County of Riverside committed these failures to promulgate proper and adequate rules, regulations, policies, and procedures.

148. In addition, at all times relevant to the events described in this complaint and for a period of time before, the County of Riverside has notice of a practice and custom by officers and agents of the Riverside County Sheriff's Department and the County of Riverside pursuant to which individuals suspected of criminal activity, like Plaintiff, were routinely interrogated abusively, were not read their *Miranda* rights, and were coerced against their will to involuntarily implicate themselves in crimes they did not commit.

149. In addition, at all times relevant to the events described in this complaint and for a period of time before, the County of Riverside had notice of practices and customs of officers and

1 agents of the Riverside County Sheriff's Department and the County of Riverside that included one  
2 or more of the following: (1) officers did not record investigative information in police reports, did  
3 not maintain proper investigative files, and/or did not disclose investigative materials to prosecutors  
4 and criminal defendants; (2) officers falsified statements and testimony of witnesses; (3) officers  
5 fabricated false evidence implicating criminal defendants in criminal conduct; (4) officers failed to  
6 maintain and/or preserve evidence and/or destroyed evidence; and/or (5) officers pursued wrongful  
7 convictions through profoundly flawed investigations.

8 150. These practices and customs, individually and/or together, were allowed to flourish  
9 because of leaders, supervisors, and policymakers of the County of Riverside directly encouraged  
10 and were thereby the moving force behind the very type of misconduct at issue by failing to  
11 adequately train, supervise, and control their officers, agents, and employees on proper interrogation  
12 techniques and by failing to adequately punish or discipline prior instances of similar misconduct,  
13 thus directly encouraging future abuses like those affecting Plaintiff.

14 151. The above practices and customs, so well settled as to constitute *de facto* policies of  
15 the County of Riverside, were able to exist and thrive, individually and/or together, because  
16 policymakers with authority over the same exhibited deliberate indifference to the problem, thereby  
17 effectively ratifying it.

18 152. In addition, the misconduct described in this count was undertaken pursuant to the  
19 County of Riverside's policies and practices in that the constitutional violations committed against  
20 Plaintiff were committed with the knowledge or approval of persons with final policymaking  
21 authority for the County of Riverside or were actually committed by persons with such final  
22 policymaking authority.

23 153. Plaintiff's injuries were directly and proximately caused by officers, agents, and  
24 employees of Riverside County, including but not limited to Defendants, who acted pursuant to one  
25 or more of the policies practices, and customs set forth above in engaging in the misconduct  
26 described to this count.

27 **SEVENTH CAUSE OF ACTION**

28 **State Law Claim – Malicious Prosecution**



154. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

155. In the manner described above, Defendants, individually, jointly, and/or in conspiracy with one another, as well as within the scope of their employment accused the Plaintiff of criminal activity and exerted influence to initiate, continue, and perpetuate by or at Defendants' direction.

156. In this way, the legal proceedings against Plaintiff were commenced or pursued by or at Defendants' direction.

157. As described above, there was no probable cause to pursue legal proceedings against Plaintiff.

158. Defendants pursued Plaintiff's prosecution until now, where an ongoing investigation is in effect, even after falsely arresting the Plaintiff for trying to file an Ex-Parte and suffering a heart attack, now the Defendant illegally has access to record Plaintiff's calls and monitor Plaintiff's internet activity for five years until 2024.

159. These judicial proceedings were initiated and pursued with malice.

160. As a result of Defendants' misconduct described in this count, Plaintiff suffered loss of employment, a heart attack, loss of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and suffering, and other grievous and continuing injuries and damages.

#### **EIGHTH CAUSE OF ACTION**

##### **State Law Claim – Intentional Infliction of Emotional Distress**

161. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

162. Defendants' actions and conduct as set forth above were extreme and outrageous. Defendants' actions were rooted in an abuse of power or authority, and were undertaken with intent to cause, or were in reckless disregard for the probability that they would cause Plaintiff severe emotional distress, as more fully alleged above.

163. As an actual and proximate result of Defendants' actions, Plaintiff suffered, a heart attack, and continues to suffer severe emotional distress.

#### **NINTH CAUSE OF ACTION**

##### **State Law Claim – Civil Conspiracy**

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1 164. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

2 165. As described more fully above, Defendants, acting in concert with other co-  
3 conspirators, known and unknown, reached an agreement among themselves to frame Plaintiff for a  
4 crime he did not commit and conspired by concerted action to accomplish an unlawful purpose by  
5 unlawful means. In addition, these co-conspirators agreed among themselves to protect one another  
6 from liability for depriving Plaintiff of his rights.

7 166. In furtherance of the conspiracy, each of the co-conspirators committed overt acts  
8 and was otherwise a willful participant in joint activity.

9 167. The violations of California law described in this complaint, including Defendants'  
10 malicious prosecution of the Plaintiff and their intentional infliction of emotion distress, were  
11 accomplished by Defendants' conspiracy.

12 168. The misconduct described in this count was objectively unreasonable and was  
13 undertaken intentionally and with willful indifference to Plaintiff's constitutional rights.

14 169. As a result of Defendants' misconduct described in this count, Plaintiff suffered loss  
15 of liberty, great mental anguish, humiliation, degradation, physical and emotional pain and  
16 suffering, and other grievous and continuing injuries and damages.

17 **TENTH CAUSE OF ACTION**

18 **State Law Claim – Cal. Gov. Code § 815.2. *Respondeat Superior***

19 170. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

20 171. Plaintiff suffered the aforementioned injuries as a proximate result of Defendants'  
21 misconduct.

22 172. During all relevant times, Defendants were employees of the Riverside County  
23 Sheriff's Department acting within the scope of their employment.

24 173. Defendant Riverside County is liable as principal for all torts committed by its  
25 agents.

26 **ELEVENTH CAUSE OF ACTION**

27 **State Law Claim – Cal. Civ. Code § 52.1**

28 174. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

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175. As described more fully above, Defendants intentionally interfered with Plaintiff's exercise or enjoyment of rights secured by the U.S. Constitution and the laws of California.

176. Defendants' conduct in interfering with Plaintiff's rights was carried out by threats, intimidation, and/or, as described above.

177. As a result of Defendants' threats, intimidation, and/or coercion, Plaintiff was and is currently deprived of his constitution rights and right to privacy; wrongly prosecuted, detained, and imprisoned for one day; and subjected to other grievous injuries and damages as set forth above.

## **TWELVTH CAUSE OF ACTION**

### **State Law Claim – Cal. Gov. Code § 825, Indemnification**

178. Plaintiff incorporates each paragraph of this complaint as if restated fully herein.

179. California law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

180. At all relevant times, Defendants were employees of the Riverside County Sheriff's Department who acted within the scope of their employment in committing the misconduct described herein.

### **Amendment IV: Search and Arrest Warrants**

**The right of people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place searched, and the persons or things to be seized.**

## **SECOND CAUSE OF ACTION**

### **In Violation of:**

### **Amendment V: Rights in Criminal Cases**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any

**-24-**

**D. Previous Lawsuits and Administrative Relief**

1. Have you filed other lawsuits in state or federal courts dealing with the same or similar facts involved in this case? ☒ Yes ☐ No.

If your answer is "Yes", describe each suit in the space below. [If more than one, attach additional pages providing the same information as below.]

(a) Parties to the previous lawsuit:

Plaintiffs: Abanob Abdel-Malak

Defendants: State of California, United States, F.B.I.

(b) Name of the court and docket number: United States District Court Central District of California, 2:20-cv-00322.

(c) Disposition: [For example, was the case dismissed, appealed, or still pending?] \_\_\_\_\_

Pending

(d) Issues raised: Civil Right Violation and Conspiracy of Constitutional Rights.

(e) Approximate date case was filed: 2/18/2020

(f) Approximate date of disposition: \_\_\_\_\_

2. Have you previously sought and exhausted all forms of available relief from the proper administrative officials regarding the acts alleged in Part C above? [E.g., CDCR Inmate/Parolee Appeal Form 602, BP-8, BP-9, etc.] ? ☒ Yes ☐ No.

If your answer is "Yes", briefly describe how relief was sought and the results. If your answer is "No", briefly explain why administrative relief was not exhausted.

I have attempted to make Hate Crime Police Reports with law enforcement, the F.B.I., etc.. This matter is really complexed but stems from a false arrest on July 1st, 2019 in California.

**E. Request for Relief**

Plaintiff requests that this Court grant the following relief:

1. An injunction preventing defendant(s): from destroying  
video footage from inside the U.S. District  
Court in Savannah on September 11, 2019

2. Damages in the sum of \$ 10,000,000.00

3. Punitive damages in the sum of \$ 80,000,000.00

4. Other: Transfer this case to California  
after the identities are discovered from  
John Doe and Jane Doe.

**F. Demand for Jury Trial**

Plaintiff demands a trial by ☒ Jury ☐ Court. (Choose one.)

pursuant to Federal Rule of Procc 38.

June 2, 2020

Date

Ava Mark

Signature of Plaintiff



## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Abanoob Abdel-Malak, et al.,

(b) County of Residence of First Listed Plaintiff Los Angeles  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Abanoob Abdel-Malak  
12132 Hanks Ave  
Norwalk, CA 90650

(310) 776-5915

## DEFENDANTS

United States Marshal, et al.,

County of Residence of First Listed Defendant Washington D.C. et al.  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                                   | DEF                                   |
|---|---------------------------------------|---------------------------------------|---|---------------------------------------|---------------------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1            | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4            | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State                | <input checked="" type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5            |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6            | <input type="checkbox"/> 6            |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 § 1983, 42 § 1985, 42 § 1986

Brief description of cause:

Deprivation of Civil Rights and Conspiracy

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$10,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Cormac J. CarneyDOCKET NUMBER 20-00322-CJC-KKXDATE June 2, 2020

SIGNATURE OF ATTORNEY OF RECORD

Aut Malak

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



## UNITED STATES DISTRICT COURT

for the

Abanoob Abdel-Malak

Plaintiff

v.

United States Marshal, et al.,

Defendant

Civil Action No.

## NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: United States Marshal, et al.,

(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

**Why are you getting this?**

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within \_\_\_\_ days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

**What happens next?**

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: June 2, 2020AA Mhuv

Signature of the attorney or unrepresented party

Abanoob Abdel-Malak

Printed name

12159 Harvest Ave, Norwalk, CA 90650

Address

ava@sinailc.com

E-mail address

(310) 776-5915

Telephone number